

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHARLES SWIFT,

Plaintiff,

vs.

RICHARD KYLER,

Defendant.

8:14-CV-243

ORDER

This matter is before the Court on the plaintiff's filing of May 4, 2015 (filing [45](#)), which the Court has construed as a motion for the undersigned judge's recusal. Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned. [28 U.S.C. § 455\(a\)](#).


The plaintiff has accused the undersigned of prejudice. But when a party seeks to establish bias or prejudice from court conduct, the party must show that the judge had a disposition so extreme as to display clear inability to render fair judgment. [United States v. Melton](#), 738 F.3d 903, 905 (8th Cir. 2013).

The plaintiff has not carried his burden here. *See id.* Accordingly, his motion for recusal is denied.

IT IS SO ORDERED.

Dated this 5th day of May, 2015.

BY THE COURT:



John M. Gerrard
United States District Judge